

Law Enforcement News

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Just how safe are colleges?

First Federally mandated report on campus crime greeted with skepticism, charges of underreporting & coverup

The first Federally mandated report on campus crime at American colleges and universities has drawn skeptical reactions from security and school administrators, as well as the mother who turned grief over her daughter's brutal dormitory murder into aggressive action to get the Federal requirement enacted.

About 2,400 colleges and universities reported more than 7,500 incidents of violent crime on their campuses in 1991, according to The Chronicle of Higher Education, which last month published data submitted by the institutions. Included in the statistics were 30 homicides, almost 1,000 rapes and more than 1,800 robberies. Property crimes were more prevalent than violent crimes on college campuses. The Chronicle reported, with over 32,000 reported burglaries and nearly 9,000 motor-vehicle thefts.

The statistics were the first to be disclosed under the Student Right-to-Know and Campus Security Act

of 1990, which went into effect last September. It requires the estimated 3,500 higher-education institutions that receive Federal aid to provide students, their parents, faculty and staff and job applicants with statistics about campus crime as well as information about their crime-prevention policies. Failure to comply with the law could result in the loss of Federal aid.

But the report appeared to spark more questions than conclusions about campus crime among college administrators, security officials and those who lobbied for the law. Among those questioning the accuracy of the statistics was Connie Clery, whose daughter, Jeanne, was brutally murdered by a fellow student at Lehigh University in Pennsylvania in 1986. Clery and her husband, Howard, transformed their grief into action by founding Security on Campus Inc., a lobbying group that played a pivotal role in getting the measure signed into law.

In an interview with LEN, Clery charged that many institutions are deflating the rules in order to cover up the true face of crime on their campuses. "My reactions are both good and bad because there are a handful [of institutions] who are reporting the truth, but the majority are covering up the truth," she said.

"These are white-washed figures for the most part, especially the rapes," said Clery, referring to the rows of zeros under the "rape" columns in the tally of statistics that appeared in The Chronicle.

Clery said she has heard reports that college administrators have changed job titles for those charged with reporting the information, such as student-affairs administrators, to "counselors." Those who provide student counseling are exempt from the law because of confidentiality provisions. Other college administrators have ordered security officials not to report violations involving drugs or alcohol, the consumption of which plays a major role in violent crime, she said.

"They change the titles of these

officers who might be getting these reports to include the word 'counselor' so that the rapes are not reported," said Clery. "We also know that after the campus security measure became law, some colleges told their campus officers that they were no longer to cite students for alcohol violations because 90 percent of the violent crimes on the campuses are drug- or alcohol-related.

"You can put two and two together. That, of course, is a very disturbing situation. That's a blatant coverup because we know that rape is truly epidemic on our campuses and so is alcohol. And the two combined absolutely spell dynamite."

According to The Chronicle, officials at several dozen institutions said they had not published the statistics by the September deadline because of confusion about the law, since the Federal Government had not issued final compliance guidelines. "It was interesting to get calls

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Lawsuit charging biased traffic stops settled with one-for-one hiring plan

The Frederick, Md., Police Department will hire one African-American police officer for each officer of any other race hired, under the terms of a settlement to a lawsuit charging that police pulled over a disproportionate number of minority motorists during traffic stops.

Under the unusual agreement, the Frederick Police Department will hire on the one-for-one basis until it reaches and maintains a level of black officers equal to the percentage of black males in the city between the ages of 21 and 70 — about 7.8 percent. The city will also set hiring goals for women, Hispanics and Asians, according to City Attorney Lynn Tillery.

The affirmative action plan was part of the settlement of a lawsuit filed against the city in 1991 by Willie J. Mahone, who heads Concerned Citizens for Racial Justice, a local group that has been lobbying for increased

hiring of minority police officers. In the lawsuit, Mahone contended that police engaged in a practice of racially motivated traffic stops of black motorists. Mahone's complaint alleged he had been stopped on four separate occasions by Frederick police — twice for DWI offenses and twice for minor motor vehicle offenses — without probable cause.

Frederick officials denied Mahone's assertions, saying that Police Department training, procedures and practices explicitly prohibit racially motivated traffic stops. They said that traffic citations issued to blacks by police be-

tween 1989 and 1991 represented 12 percent of the total citations issued, and noted that the black population of Frederick during the same period was 12.8 percent.

"We felt very strongly that the evidence shows that the city of Frederick does not use race as a base for making any traffic stops," Tillery told LEN.

Nevertheless, city officials decided to settle with Mahone by addressing some longheld concerns about minority representation in the Police Department, which, up to a year ago, had just one black police officer. City officials, including Mayor Paul P. Gordon and

Police Chief Regis R. Raffensberger and members of the city's Ad Hoc Police Commission, announced an "Action Plan" to address those concerns at a news conference Jan. 4.

"I am a great believer in looking to the future because we can't change the past," said Gordon. "The Action Plan that is the basis for the settlement looks to the future. It prescribes the steps that the city and the Frederick Police Department will take to continue programs already initiated and to enhance those programs to better the relationship of the Police Department with all races,

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Angry at impasse, Vancouver police give their city a good dressing down

Frustrated by a year-long impasse in labor negotiations, police in Vancouver, British Columbia, took an unusual step last month to demonstrate their displeasure with the city — by leaving their uniforms in their lockers and going on duty clad in blue jeans, cowboy boots and other casual gear.

Det. John de Haas, president of the Vancouver Police Union, which represents 1,100 officers in Canada's third-largest city, called on officers to make the fashion statement Jan. 29, to protest the city's failure to negotiate with them.

Officers resumed wearing their customary navy blue uniforms on Feb. 3, minus neckties and standard-issue police hats. Officers are now wearing baseball caps with the union's insignia

They also began wearing union buttons saying, "Arbitrate the Stalemate," and have continued a public-awareness campaign by passing out leaflets informing Vancouver residents about their plight.

The stepped-up pressure by the police union has apparently paid off — although not yet in increased salaries. Provincial Labor Minister Moe Sibota announced on Feb. 18 that he had appointed Graham Leslie, a labor relations consultant, as a special mediator to assist the VPU and the Vancouver Police Board with contract talks. Leslie will be charged with assisting the parties in settling the terms and conditions of the collective-bargaining agreement that expired on Dec. 31, 1991.

Negotiations with Leslie were to begin this month, a few weeks after mediated talks were completely broken off. The increasingly acrimonious labor dispute culminated in a largely symbolic strike vote by 95 percent of the union's members. But de Haas told The Vancouver Sun late last month that he would not rule out "a withdrawal of services" if negotiations do not produce results.

The union is seeking wage parity with police officers in Toronto and Montreal, as well as an increase in the police budget to allow for more officers and specialized training. "In policing, you can't do more with less," de Haas said. "Vancouver has the highest crime rate of any urban center in the country."

What They Are Saying:

"It's too hard for chiefs to stay close to the work, and it's the work that I like. If policing is done right, it's a calling. If it's done wrong, it's a job with a hope for pension."

— Edmonton, Alberta, Police Supt. Chris Braiden, explaining why he's retiring after 30 years rather than seek appointment as a police chief. (4:2)

Around the Nation

Northeast

CONNECTICUT — A 13-year-old boy was hit by a bullet fired by State Police during a shootout between troopers and a man who hijacked a school van and led about 60 troopers on a chase through rural Connecticut Jan. 11. Joshua Sawicki was critically wounded when he was shot as police closed in on the van, which had been forced off the road. Suspect Dwight Giles Pink Sr. was killed in the fusillade. Investigators are trying to learn why police fired at the van after it had been stopped and why Pink, an East Lyme native with a long criminal history, was paroled in 1991.

The state Department of Public Safety violated the Freedom of Information Act by not making accident reports available at state police barracks, the State Supreme Court ruled in January.

DISTRICT OF COLUMBIA — District detectives will once again be promoted to senior rank and pay under an agreement worked out by Police Chief Fred Thomas and the Fraternal Order of Police. Up to 96 detectives will be promoted to "grade one" status, a ranking that has lost all but a handful of its members through retirements since the early 1980's. Grade-one detectives earn about \$1,000 more each year than lower-ranking detectives.

MAINE — York County sheriff's officials said the county jail will no longer be used to lock up mental patients turned away by a state mental hospital because temporary holding cells used for them are inadequate.

MARYLAND — Students in Towson-area schools are being warned about ingesting jimson weed seeds. One youth suffered a near fatal heart attack after eating spaghetti sauce laced with the seeds.

Legislators began debate earlier this month on a needle-exchange plan supported by Baltimore Mayor Kurt Schmoke. The three-year, \$50,000 program would help 700 addicts and would help slow the spread of AIDS, Schmoke said.

MASSACHUSETTS — Twelve suburban Boston police departments have formed a task force to investigate the thefts of 1,000 Oriental rugs worth millions of dollars.

NEW JERSEY — An 11-year veteran of the State Police pleaded guilty to taking crack from an evidence locker. Jack Suarez, 34, faces 10 years in prison under a plea bargain and has been suspended from the force.

Two North Bergen police officers were released on bail Jan. 27 after being arrested on charges stemming from the robbery of an undercover police officer. Vincent Sorge, 29, and Thomas Rowan, 31, allegedly ordered the undercover officer to get out of his car and took \$625 in marked bills from him.

NEW YORK — Gov. Mario Cuomo appointed a special prosecutor Feb. 9 to investigate allegations that members of

the State Police Troop C tampered with evidence in criminal cases. Nelson Roth, a private attorney in Ithaca, will investigate cases in the six-county area covered by Troop C. The appointment comes in the wake of admissions by forensic investigator David Harding that he had faked fingerprint evidence. [See LEN, Dec. 31, 1992.]

The New York City Council on Feb. 13 passed a landmark bias bill that will allow victims of bias incidents to file civil suits against their attackers — unless the attackers are police officers.

The New York City Department of Corrections plans to add 55 guards and install metal detectors to make sure correction officers and other employees are not packing weapons when they show up for work. City investigators are reportedly looking into allegations that some guards are selling guns to inmates, who, in some cases, shoot themselves to get better jail accommodations or sue the city.

New York City police began a series of drills last month aimed at making sure they are ready to respond to civil disorders. The drills, tagged Disorder Control Training Mobilization, are designed to teach the Police Department's seven task forces to respond quickly to disturbances.

Of the 13,698 state inmates assigned to temporary release programs since April, more than 800 have fled and remain at large, prison officials say. About 80 percent of the missing prisoners are from New York City.

Nearly 40,000 people have applied to take the next Civil Service exam to become New York City police officers, including a sizable number of minority applicants. Police Commissioner Raymond Kelly has pledged to bring more minorities onto the force.

The family of a rookie police officer slain by drug dealers in 1988 while guarding the home of a witness is suing New York City for \$30 million. Edward Byrne's parents allege their son was improperly trained, poorly positioned and inadequately equipped.

A New York City police inspector who quashed a murder investigation on behalf of a mob-connected friend and was subsequently forced to retire will receive a tax-free pension of \$95,000 a year. A pension board authorized a \$30,000 disability supplement for former Insp. Peter Scalabrin, saying the stress of police work contributed to his minor heart problems.

The New York Police Department was ordered to pay at least \$300,000 in retroactive disability retirement pay and damages to a female officer whose 1981 dismissal was based on sex discrimination. An administrative law judge ruled that Karen Dombrowski should have been granted line-of-duty status for a neck injury inflicted on her by an instructor during Police Academy training. The department blamed her injury on a congenital defect and fired her four hours after she applied for disability benefits.

The New York Police Department is probing whether a Brooklyn police sergeant shot himself in an effort to avoid a mandatory drug test. Sgt.

Thomas Kennedy, 31, said he had been wounded in the hand in an off-duty struggle with robbers three hours before he was to submit to urinalysis. Investigators became suspicious when he refused to take the test. The sample he eventually provided showed trace amounts of cocaine, sources said.

Nearly all of the \$8 million stolen from a Brooklyn armored car depot in December was found by New York City police and FBI agents Feb. 3. Police apprehended four suspects, who apparently stashed the cash in a closet after realizing the sequentially-numbered bills were too risky to spend.

The Manhattan District Attorney's office concluded last month it didn't have enough evidence to prosecute a rookie police officer who was arrested in a plot to rob drug dealers. Fabian Lorenzo, who was arrested with three other men as they allegedly finished preparations to rob a drug location, remains suspended from the force as police and the District Attorney's office continue their investigations.

PENNSYLVANIA — Philadelphia and suburban Chester, Delaware and Montgomery counties were awarded about \$12.7 million in state grants for prison construction and expansion projects. About \$7.8 million will be used to pay for a prison being built in Northeast Philadelphia.

believe the attack was motivated by racial prejudice.

A man who fatally shot his ex-wife near their daughter's grave in a North Lauderdale cemetery as a television camera recorded the crime was arrested by FBI agents on a Greyhound bus near Fort Stockton, Texas. Emilio Nunez, 34, reportedly blamed his daughter's suicide on his ex-wife, Maritza Martin Munoz, whose murder was captured by a TV crew and broadcast nationwide.

NORTH CAROLINA — The Division of Motor Vehicles said it will restore the records of traffic violations against 22 motorists who paid an employee \$50 to \$1,500 bribes to alter them. DMV employee Deborah Dorman, 38, has been charged.

VIRGINIA — Bowing to opposition to a plan to limit handgun sales to one per month per customer, Gov. L. Douglas Wilder on Feb. 8 announced a proposal under which customers could buy an unlimited number of handguns after obtaining special permits from the state. The House of Delegates passed Wilder's original proposal, which is expected to face opposition from the Senate. Wilder is trying to stop the flow of weapons out of the state, citing a recent study by the Bureau of Alcohol, Tobacco and Firearms that showed Virginia is the leading source of guns traced to crimes in New York City and Washington, D.C.

As of Jan. 1, Richmond police who break up parties with underage drinkers can trace the keg back to the purchaser, who can be charged with contributing to the delinquency of a minor.

ARKANSAS — The group Parents of Murdered Children last month called for the resignation of Jerry Jewell, the president of the state Senate, because of his release of a convicted murderer and others during a three-day stint as acting governor. Jewell, who filled in while Gov. Jim Guy Tucker attended the Clinton inauguration, granted clemency to man serving a life sentence for a 1971 first-degree murder conviction. Three other convicts also received clemency from Jewell.

FLORIDA — Paul Arzola, 32, a Miami-based Customs agent responsible for probing counterfeit trademark products, was arrested this month on charges of trafficking and laundering profits from selling counterfeit goods.

A gunman said to be enraged over his recent firing killed three men and wounded two women before killing himself in nearby park in Clearwater on Jan. 27. Police said Paul Calden, 33, a former employee of Fireman's Fund Insurance Company Co.'s Tampa branch, opened fire at a building cafe during lunchtime before shooting himself in a rental car.

Three white men who police say abducted a black tourist and set him afire after seeing him driving a Cadillac were charged last month with attempted murder, kidnapping and armed robbery. The suspects, Jeff Ray Pellet, 17, Mark A. Kohut, 26, and Charles P. Rourk, 33, are charged in the New Year's Day abduction and attack on Christopher Wilson, 31. Police

Carrollton in March. It will house males ages 17-29 who are first-time, non-violent offenders.

INDIANA — Needy students may have to submit to drug testing and maintain a C average in high school in order to qualify for scholarships to state-supported universities, under a program supported by Gov. Evan Bayh.

Two men have been arrested in the killing of state Trooper Michael Greene, 45, who was shot to death Feb. 5 during a traffic stop.

KENTUCKY — The Attorney General's office ruled this month that campus police records at the state's public universities are subject to public inspection.

MICHIGAN — An inmate found hanged in his cell Jan. 31 after he was accused of having raped a female guard had a sock snuffed in his mouth and paper in his nostrils, The Muskegon Chronicle reported this month. Inmate Eric Davidson, 31, of Detroit, a convicted rapist and murderer, raped the guard at knife-point and threatened to kill her as guards stood by helplessly. Officials at the E.C. Brooks Regional Facility say Davidson committed suicide and placed the materials in his mouth and nostrils to hasten death.

A boot camp prison in Manistique was converted last month to a holding center for inmates being sent to other boot camps because there have been less prisoners than expected for the military-style facility.

Grand Rapids police seized \$10,000 in cash from a state lottery winner who had brought the money to court to post bail for her son, being held by police on drug charges. Addie Paul said she will fight to get the money back. The money was seized after it was hidden in a room by police at the Berrien County courthouse and found by a drug-sniffing dog, indicating the presence of illegal drugs on the money. Paul's attorney said that 75 percent to 85 percent of the money is circulation has traces of drugs.

OHIO — An alleged neo-Nazi planned to bomb the National Afro-American Museum and Culture Center at Central State University, a predominantly black college in Wilberforce, police said last month. Philip Purnell, 28, was arrested Jan. 15 after offering an undercover Federal agent his motorcycle in lieu of cash as a down payment on an explosive device. Purnell, the reputed head of a local neo-Nazi group, planned to set the bomb off on the day before the Martin Luther King Jr. holiday.

Negotiations on a one-year contract for Norwood police are at a standstill and may not be resolved until March. The city is offering no wage increase this year, but police want a 5-percent raise, an increase in longevity pay and shift differentials, and a minimum staffing level of 44.

WISCONSIN — A rise in the number of inmates with violent crime convictions has resulted in tighter security at the women's prison in Taycheedah. New security measures include a 12-foot fence topped with razor wire, restrictions on inmates' movements, and a head count every half-hour.

Around the Nation



Plains States

IOWA — Polk County officials are considering paring down a tentative plan for a \$23-million, 350-bed addition to the county jail. The plans call for the construction of a nine-story addition that would contain six 50-bed cell blocks and a couple of 25-bed dormitories. But before going through with it, officials want to make sure it is needed and can be financed.

MINNESOTA — A municipally owned prison built two years ago in the job-hungry town of Appleton remains empty, apparently because of the unwillingness of state prisons to rent cells at the Prairie Correctional Facility. About 85 workers at the 472-bed, medium-security facility face layoffs.

The Sibley County Jail closed recently because of staff shortages and problems in meeting the state standard of checking on prisoners every hour. Prisoners will be housed at facilities in McLeod, Nicollet and Le Sueur counties.

SOUTH DAKOTA — A bill making it illegal to take guns and other weapons into county courthouses was approved by the House Judiciary Committee and sent to the full House last month.



COLORADO — A peaceful parade honoring slain civil rights leader Martin Luther King Jr. in Denver was marred when demonstrators protesting a nearby Ku Klux Klan rally threw rocks and bottles at police trying to break up the gathering. Three people were beaten, one seriously, in the melee. A similar incident occurred during last year's celebration of the King holiday.

A former Denver police officer who staged his own disappearance in 1989 was accused recently of choking a motorist during a traffic stop. David Hayhurst, now an officer with the Central City Police Department, is accused of choking bartender Mark Cucinelli when Cucinelli refused to take a blood test after being arrested on suspicion of drunken driving late in December. Hayhurst was the object of a massive search after his patrol car was found abandoned on the side of a road. He was later found in Salt Lake City and said he left Denver because of debts.

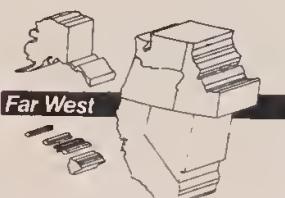
NEW MEXICO — The fatal stabbing of a teen and other violence at Las Cruces' Vista Middle School last month prompted volunteers to organize a gang task force and patrols at the school.

Delaware County sheriff's deputies who responded to an unusual call last month — a report of a man shooting his pickup truck — ended up discovering 21 guns in the vehicle, \$10,000 in cash

and lots of ammunition. During a search of suspect Roger Williams's home they turned up 92 more guns, marijuana and hundreds of pounds of bagged coins. Williams was charged with carrying concealed weapons, discharging a weapon in public and assaulting an officer. Other charges were pending, officials said.

TEXAS — Violence marred a parade to celebrate the Dallas Cowboys' Super Bowl victory when a crowd estimated at 400,000 got out of control Feb. 9. More than two dozen people were injured in fights, an incident of gunfire and several stabbings were reported, police said. Dallas police officials initially assigned 350 officers to patrol the parade, but added 100 more when a crowd two times the size anticipated showed up.

UTAH — Nonviolent offenders would be confined to electronic surveillance rather than prison, under a bill approved by the House and sent to the Senate last month.



ALASKA — Anchorage police are ticketing vehicles whose tinted windows block more than 40 percent of the light entering the cab. While the rule was approved by the state Department of Public Safety in October, police were told of it only last month.

CALIFORNIA — A San Francisco Federal appeals court on Jan. 28 upheld the conviction and 20-year prison sentence of Richard Miller, 55, the only FBI agent ever convicted of espionage.

A disgruntled patient who seriously wounded three doctors and took two women hostage at gunpoint Feb. 8 before surrendering to police told authorities he has AIDS. Damacio Ybarra Torres, 40, faces probable attempted murder and kidnapping

charges from the attack at the emergency room of the University of Southern California Hospital Medical Center in Los Angeles.

The brother-in-law of former Mexican president Luis Echeverria was convicted in late December by a Federal jury in the 1985 kidnapping and torture death of Drug Enforcement Administration agent Enrique Camarena Salazar. Ruben Zuno Arce was found guilty of four counts, including two counts of conspiracy. His original conviction was overturned in 1990 because a judge ruled the prosecution had misrepresented testimony during closing arguments.

One boy died and another was wounded in a Los Angeles high school classroom Jan. 21 when they were hit by a blast from a handgun that had been brought to school by a third student because he said he feared street gangs. Demetrius Rice, 16, was killed in the incident in what authorities said was an accidental discharge of the weapon, a .357 magnum. In response, Los Angeles school officials announced that students would be screened by hand-held metal detectors, beginning this month.

OREGON — A Roseburg man accused of raping the children of his friends and neighbors in an attempt to kill them with the AIDS virus will go on trial later this year. Adam Brown, 30, faces 43 counts, including attempted murder, rape and sodomy.

WASHINGTON — A Vancouver judge ruled this month that a sex offender serving a 20-year term for molesting an eight-year-old girl will not be released. The judge ruled that Karl Light can be held indefinitely under the state's sexual predator law. A hearing next month will determine if he'll ever be freed.

A Lynwood man was arrested Feb. 6 in connection with a rash of over 100 arson fires that were set in Snohomish and King counties from August to January. Paul Keller, 27, who was arrested on a warrant charging him with setting three fires, reportedly has a fascination with firefighting equipment.

Surveillance tool doesn't register

NY appellate court clamps restrictions on police use of pen-register devices

comes on the market, we have just lost a very effective tool."

Shechtman expressed concern that the ruling will jeopardize cases in which wiretap warrants were obtained through the use of pen registers. In addition, Shechtman said he expects that the ruling could also lead to appeals by criminals whose convictions resulted from evidence gathered with the aid of pen registers.

"In almost every wiretap that we do, we do pen registers first," Shechtman said. "So in every one of those cases, a motion will now be made to say that the wiretap is now illegal because it is based on a pen register. How many we will win or lose we don't know, but many will be jeopardized."

Law enforcement officials said it would take a month to develop a replacement device that cannot be used to eavesdrop, and altering pen registers could cost thousands of dollars per unit.

Drug cases swamping CJ system

An overemphasis on drug arrests is putting the U.S. criminal justice system "on a fast track to collapse," according to a report by the American Bar Association, forcing a shift in funds from police forces to prisons, increasing the number of minorities in the nation's prisons, and allowing violent crime to continue to flourish.

The report, prepared by the ABA's criminal justice section and released this month at the association's midwinter meeting in Boston, analyzed a variety of government statistics for Federal and state law enforcement agencies, courts and prisons. It found that the number of adults imprisoned for drug offenses more than tripled from 1986 to 1991, in part because of new mandatory sentencing guidelines. During the same period, violent crime rose 41 percent, the report said.

While the 346,000 adults imprisoned for violent crimes in 1991 were still more than double the 165,000 imprisoned for drug offenses, the drug offenders represented a growing share of the nation's prison population, said the report. Drug arrests rose 24 percent from 1985 to 1991, even as surveys showed that levels of drug use dropped from 12 percent of the population to 6 percent in the same period.

The number of minorities arrested on drug charges rose by 57 percent from 1986 to 1991, compared to a rise of just 6 percent in arrest rates of white adults, said the report. While slightly less than one-third of all those arrested in 1991 were minorities, they made up half of the nation's prison population in 1990, the report added.

The figures indicate that the nation's criminal justice system is in imminent danger because of the surge of drug cases on the court dockets, said Neal Sonnett, chairman of the ABA's criminal justice section. Sonnett warned that changes must be made or the criminal justice system will be "crushed under the caseload of criminal cases without any appreciable decrease in crime."

From a bias standpoint, 1992 seen as "deadliest, most violent year"

An annual survey of hate-motivated crimes says a record 31 bias-related homicides occurred in 1992, along with a "sharp hike" in increasingly brutal assaults.

The survey by Klanwatch, an arm of the Montgomery, Ala.-based Southern Poverty Law Center, said the murders combined with other crimes made 1992 "the deadliest and most violent year" since the group began tracking hate crimes over a decade ago. The record-setting number of homicides compared with 27 reported in 1991 and 20 in 1990.

Adding to the level of violence were the riots that broke out last spring in the wake of the acquittals in the trial of four Los Angeles police officers accused of beating Rodney King in March 1991. California reported eight hate-motivated murders, three of which Klanwatch said were directly tied to the Los Angeles riots in which a total of 53 people died.

Numerous assaults nationwide were attributed to fallout from the case, Klanwatch added.

Racial bias was the motivation behind two-thirds of the slayings in 1992, the report said. Nine victims were white, six were black, four were Latino and two were Asian. Attacks against gays resulted in five deaths, and one victim of a hate-related murder was Jewish.

Also contributing to the violence were five bombings, 13 arsons, and over 200 assaults, Klanwatch said. The group also tallied a significant rise in acts of hate-inspired vandalism, which rose 49 percent last year, from 216 in 1991 to 322 in 1992. Cross burnings were up 16 percent, from 101 in 1991 to 117 in 1992.

The Klanwatch report noted a disturbing trend in the increasing number of hate crimes occurring on U.S. school and college campuses. Klanwatch

documented 279 hate crimes and related activity in schools and colleges last year, including the murder of a Latino high school student from Fullerton, Calif., who was shot to death as he walked home from school in what authorities said stemmed from racially motivated gang violence. Other activities reported by Klanwatch included assaults, mob beatings, weapons violations, threats, harassment, vandalism, racial clashes and the distribution of hate literature on campuses.

The director of Klanwatch, Danny Welch, cited the spiraling violence in calling on the FBI to create a special unit to monitor bias crimes, an idea he called "well worth considering." "The agency does an outstanding job of tracking other types of crime and is in a unique position to expand that role to hate crimes," said Welch.

Welch added that the 1992 statistics Continued on Page 10

The great smoke-out

The Feb. 26 bombing of the World Trade Center in New York City touched thousands of lives with its indiscriminate violence. Among those whose workday routines were interrupted by the blast was the state's top criminal justice official, who maintains an office in one of the complex's two 110-story towers.

Richard H. Grgenti, commissioner of the state Division of Criminal Justice Services, was just leaving his office for a luncheon meeting with Fritz Alexander, New York City's deputy mayor for public safety, when the explosion rocked the center killing at least five people, injuring over 1,000 others and causing untold damage and economic disruption.

"I felt the building shake, heard a huge explosion and half the lights on the floor went out. That's when I realized that obviously something had happened," Grgenti said in an interview with LEN. "There was no thought at that time that it was anything but some kind of accident. . . . Within a few minutes we started smelling smoke and we were told to evacuate."

The twin towers' elevators were completely knocked out by the blast, so, like thousands of other workers, Grgenti found himself slowly navigating darkened, smoke-filled stairways trying to reach safety. It took about 45

Chris Braiden, the Edmonton, Alberta, police superintendent whose unorthodox management philosophies prompted his agency's shift toward community policing and decentralization, is set to retire on April 15, but the native of Ireland says he will continue to serve as a "resource" for police agencies eager for change.

Braiden, 53, was first introduced to readers of LEN through his extended essay "How to Paint a Rented House," a "wake-up call" for police managers that ran as a three-part series in this newspaper in 1991.

Braiden said one of the reasons he decided to retire after 30 years in policing is because he has no desire to become a police chief — the next logical step in his career path. "It's a hell of a job and it's a hell of a lot harder to be a police chief than it was 10 or 15 years ago, but there's too much baggage with that position that I'm not interested in. It's too hard for chiefs to stay close to the work, and it's the work that I like. If policing is done right, it's a calling. If it's done wrong, it's a job with a hope for pension," he said.

Braiden said he will continue to espouse his ideas about police management as a consultant, starting with the St. Paul, Minn., Police Department.

"Policing has been very good to me. I want to put back into policing

minutes to get from the 57th floor to ground level, he said.

Among the casualties of the blast was Grgenti's state-issued Chevrolet Caprice, which was parked in the underground garage where the explosion is believed to have occurred. It remains entombed in the wreckage of the blast, which tore a seven-story-deep crater through the building's sub-basement levels. "I've seen a picture of the car," he said. "The explosion blew out the windows and sucked down the roof."

Grgenti lauded the efforts of police, fire and other officials to get people to safety and tend to the injured. "Having spent the next 24 hours with the New York City Police Department, the Fire Department, the Port Authority and City Hall, I can't tell you how incredibly



Supt. Chris Braiden
Sowing seeds of revolution

what it has given me. I want to help revolutionize the culture of policing," Braiden said. "I'd love to work with police organizations on an ongoing basis as a teacher, a helper or a resource person."

While superintendent, which is comparable to the rank of deputy chief in the United States, Braiden instituted a system of neighborhood foot patrol involving 27 storefront police stations that are staffed full time by at least one officer. In addition, the Edmonton Police Service opened 16 community police stations — which Braiden char-

acterized as "almost like decentralized front counters" — open 12 hours a day, seven days a week, in some of the city's high-crime neighborhoods.

The new system has helped reduce the number of non-emergency calls for service, said Braiden. Last year, over 204,000 walk-in visits were logged by the stations. Conversely, the number of calls for service dropped by 30 percent, with 120,000 fewer calls than were received in 1992.

"That doesn't mean we dropped 30 percent of the work. We actually did far more work last year than 1991, but it's how we did it. We actually tripled the face-to-face contact between the police and the public, which I think is very important. Our plan was to break a big department up into pieces so that the city is literally a collection of villages. And each village, as much as possible, is policed for its own particular needs," said Braiden.

The decentralization is helping to give a human face to policing in the city of 800,000. "The number of people someone in the community station will encounter in a day is probably triple or quadruple what you would encounter in a car," Braiden said. "It's amazing the amount of stuff that will come into the station. People will come in and report things to an officer they've met once or twice. They'll open up. I'm convinced that 95 percent of the policing needs an individual, family, busi-

ness or school has are best delivered to them by one officer whom they know and trust."

Braiden said he wanted to be a police officer since he was a young man, but he had to take a long, and circuitous route to reach his goal. As a result, Braiden may be "the only cop in North America who was rejected in three countries."

Recalled Braiden, whose two sons, Declan and Conor, are studying to become police officers: "I tried to join the police in Ireland but they wouldn't take me because I don't speak Gaelic and that was a requirement at the time. I went to England and I tried to join the Metropolitan Police in London. They wouldn't take me because I have a finger missing on my left hand [from a sawmill accident when he was 16]. When I first came to Canada I was rejected — by Edmonton, actually — because I'm colorblind."

Eventually, Braiden was hired by the Jasper Place Police Service in 1963. When the town was annexed by nearby Edmonton, Braiden became a member of the big-city force and rose through the ranks to become a superintendent in 1987. He served as a special adviser on policing for the Alberta provincial government for a year, and also served for two years as a special adviser to Canada's solicitor general.



Richard H. Grgenti
His workday is a blast

impressed I was with the quickness, the professionalism and the terrific response on the part of everyone. It was one of the most remarkable efforts that I have ever had the benefit of experiencing."

Grgenti added that the calm and cooperative spirit exhibited by trade center workers who were evacuated from the building went a long way toward limiting the extent of the tragedy. "The could-have-been scenarios are mind-boggling and extremely frightening. It's just a great deal of fortune that despite the tragedy, nothing worse happened," he said.

For now, Grgenti and his staff are awaiting the go-ahead to return to the tower, which is closed as a massive clean-up and repair operation continues. DCJS staffers were allowed to return to the building about a week after the explosion to retrieve crucial files relating to an ongoing investigation of the police handling of racial disturbances in Brooklyn in 1991. "We've managed to continue our work without too much interruption," he said.

Torturous affair

After a 15-month review, the Chicago Police Board voted this month to dismiss a high-ranking police official on charges that he tortured a convicted cop-killer, but the board agreed to reinstate two detectives who had been suspended in connection with the case.

The Police Board on Feb. 10 dismissed Cmdr. Jon Burge, 47, for torturing Andrew Wilson in 1982 while Wilson was in police custody. Burge, a 23-year department veteran who was

the commander of what was then known as Detective Area 3, is the highest-ranking police official to be dismissed in almost 20 years.

The board reinstated Detectives John Yucaitis and Patrick O'Hara, who were suspended without pay along with Burge in November 1991 after an internal investigation by the Police Department's Office of Professional Standards charged Burge and Yucaitis with torturing Wilson. O'Hara was accused of knowing about the abuse but doing nothing to stop it.

"We found that the [police] department proved by a preponderance of evidence that Commander Burge did physically abuse Andrew Wilson," said Albert Maule, president of the Police Board. Maule said the most convincing evidence was the burn marks on Wilson's thigh, which Maule said corroborated Wilson's testimony that Burge had handcuffed him to a radiator.

The torture occurred in the days after Wilson was picked up as a suspect in the murders of Officers William Fahey and Richard O'Brien, who were shot to death when they stopped Wilson and his brother, Jackie, for a traffic violation in February 1982. Both brothers were convicted of the murders in 1983, and are serving life prison sentences without the possibility of parole.

Andrew Wilson testified last February during a Police Board hearing that the abuse occurred in the detective division's headquarters on the city's Far South Side. There, Burge, Yucaitis and other officers beat, kicked, dragged Wilson around a room the room and knocked him to the floor. Another officer placed a plastic garbage bag over Wilson's head, forcing him to bite a hole through it to escape suffocation.

Then the officer threw him against a window, shattering the glass.

Wilson said that both Yucaitis and Burge shocked him with a "black box" by attaching clips to his ear and nostril and cranking the box to produce an electrical current. He also charged that he was shocked with the device while stretched across a heated radiator. Burge also stuck a gun in his mouth, threatening to shoot him, Wilson added.

The board's actions ended what observers called one of the most divisive, longstanding controversies in the history of the Chicago Police Department. The case drew the attention and condemnation of Amnesty International, the human rights organization, after an internal Police Department report released just before Wilson's testimony charged that "systematic torture" was perpetrated by at least seven police officers at the South Side station from 1973 to 1986. The report added that police supervisors in district knew about and allowed the abuse to continue. Burge, Yucaitis and O'Hara had been named in the documents.

Then-Police Supt. LeRoy Martin, who was a detective division commander for nine months during the 13 years the abuse was alleged to have occurred, angrily denied the charges in the report, which was unsealed by a Federal judge overseeing an unrelated brutality case.

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Two views of crime & justice in Russia

What happens to the police when a police state collapses? On the evidence from Russia and several of her old satellites in Eastern Europe, they are

BURDEN'S BEAT

By Ordway P. Burden

quickly inundated by a tide of lawlessness. What's worse, some become corrupt themselves.

Even before the breakup of the Soviet Union in 1991, there were reports of rising crime and rampant corruption in Russian cities, often with the police as participants. Arkady Vaksberg, an investigative reporter for *Literaturnaya Gazeta*, a Moscow weekly newspaper, detailed the picture in "The Soviet Mafia," a book published in this country by St. Martin's Press in 1991. His story is a tale of unbridled corruption reaching from the level of common criminals to the highest political fig-

ures in the land.

It's also a tale of unrestrained greed. Vaksberg cites case after case of regional and even national leaders of the old Communist Party extorting money from underlings and embezzling from the State. He also tells of dazzling incompetence, such as the ill-conceived move to make vodka-loving Russians a nation of teetotalers. "The human and economic losses from this decision," Vaksberg writes, "...are now well enough known; not only tens of billions of lost rubles (40 billion in direct losses, and several times more than that in indirect ones), but at least 18,000 deaths from the use of toxic substitutes for vodka, hundreds of thousands of cripples, a countless number of patients in psychiatric clinics."

Another view of the crime scene in Russia is given in "Red Square," the mystery by Martin Cruz Smith published last year by Random House. In "Red Square," Smith continues the

fictional life story of Arkady Renko, senior investigator for the Moscow prosecutor's office, which he began telling in "Gorky Park" in 1981. Renko, I'm pleased to report, is incorruptible as well as a very good detective.

I won't reveal the story, except to say that Renko solves the murder of a Moscow mafia banker named Rudy Rosen who is incinerated by an ingenious coupling of two common chemicals. The story takes Renko into the Moscow underworld and as far afield as Munich and Berlin.

It's a good read. I bring up the book, however, to point out that Martin Cruz Smith appears to be a good reporter. He did a few months of research in Moscow and Munich to prepare for "Red Square." As a result, you will learn, for example, that Russian detectives don't get much help from forensic science. Smith writes: "The militia [local police] had invested in German and Swedish gear, spectrographs and hemometers, which

lay unused for lack of parts or dearth of funds. There was no computer matching of blood or license plates, let alone of something so laughably out of reach as 'genetic fingerprints.' What Soviet forensic labs possessed were archaic chemistry sets of blackened test tubes, gas burners and curlicues of glass piping that the West hadn't seen in fifty years."

One of Renko's assistant detectives is a sterling Estonian (the story takes place in August 1991, just months before the Soviet Union disintegrated) and the other is an incompetent ninny. The few militia officers who make an appearance are interested in petty graft. We're introduced to the various gangs in Moscow, all under the generic term "mafia." None have any connections with the real thing in Sicily or the United States, but their interests are similar, according to "Red Square." One gang from a working-class suburb has a protection racket going for prostitutes, black-marketeers, and government offices. The gang from another suburb also runs prostitutes and deals in stolen cargo from a major airport. Still another controls a large market. And so on. Smith writes as if he knows what he's talking about, even if his story is fiction.

In his acknowledgements for assistance, Smith credits several Moscow policemen, including Vladimir Kalinichenko, who, by no likely coincidence, was the senior investigator for the Moscow prosecutor's office. He seems the likely model for Arkady Renko. In "The Soviet Mafia," Arkady Vaksberg says that the mafia gangs knew Kalinichenko "as the most experienced, indefatigable and incorruptible Moscow investigator." Kalinichenko made his reputation during the 1970's by getting the evidence involving caviar specula-

tion, organized crime, and bribes that led to the conviction and a death sentence for the Soviet Union's deputy minister of fishing industries. Later Kalinichenko nailed a murder ring in the Moscow transit police which had been shielded by the Interior Minister, the top law enforcement official in the old USSR.

Kalinichenko would be a star detective on any force in the world, but at the age of 44, he's out. Despite his love for his work, he quit last September after 21 years to take a job with a bank at more than twice the salary and such perks as a new Volvo with driver, a new apartment (like gold in Moscow), and stock in the bank. When he quit his detective job, Kalinichenko was investigating official corruption — smuggling of natural resources, embezzlement of state funds, and bribery of officials.

"I gathered all these documents proving really extraordinary cases of corruption," he told *The Boston Globe*, "but neither the chief prosecutor nor the Ministry of the Interior gave a damn about it. Nobody wanted to do anything about it. Today in the Russian prosecutor's office, there is not one serious case."

Russia has lots of problems on its stumbling way to democracy and a free-market economy. Not the least of them, it appears, is corruption in both high and low places.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 1054-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

Excessive-force issue grips Austin & its new police chief

In office for less than three months, Austin, Texas, Police Chief Elizabeth Watson has run into a hailstorm of criticism over her decision to fire a police officer accused of using excessive force.

Watson appeared before a jam-packed City Council meeting Feb. 4, where she reiterated Police Department policy that any officer found to have used unnecessary excessive force against a suspect would be dismissed.

At the council session, more than 30 Austin residents spoke out, most of them opposed to the firing of Officer Danny Gratten. The 11-year police veteran was dismissed in January after police investigators determined he had used excessive force to subdue a 14-year-old boy last July. The investigators concluded that Gratten had hit the youth with a nightstick, then pushed him into a van with enough force to break a window.

The firing has been criticized by community groups as well as police officers, who say the policy endangers them because fear of losing their jobs will make them less likely to use force to subdue dangerous suspects. Early this month, two patrol officers said they were injured while arresting a drug suspect because they were afraid to use their nightsticks.

But Watson defended the policy, saying that citizens have placed a "sacred trust" in police "to protect, to defend, but never punish."

"I deeply regret that any officer could believe that I would not want them to defend themselves or others when they are threatened and attacked," Watson said at a Feb. 3 news conference. She added that she would support officers who use force when they "abide by the laws of this state and the policies of this Police Department."

"They can and must use force when

it is necessary to defend themselves and our citizens," the Chief said. "Each and every allegation of excessive force will be reviewed on its own merits, cognizant of the difficult job our officers are asked to do."

Community groups maintain that Gratten, 39, is being used to set an example, but Watson maintained that the controversy stemmed from "gross misinformation both within the community and within the Austin Police Department concerning the firing."

"It is time to set the record straight," Watson said at the news conference. "A 14-year-old child was repeatedly struck in the back with a nightstick while his head was held in a reverse headlock. At no time did the boy attack Officer Gratten; neither did he strike or threaten to move toward the officer's firearm."

Watson said she would not reconsider the firing of Gratten, who is appealing the dismissal.

Courting success at trial, cops to learn testimonial techniques

New York City police officers are heading back to the classroom to be instructed in the fine points of courtroom testimony, in a revision of the Police Department's training program that seeks to improve their responses to questions, their personal appearance on the stand, and, officials hope, their credibility with jurors.

The revision was prompted by a recommendation from prosecutors in the Brooklyn District Attorney's Office, who, with their counterparts in the city's other four boroughs, were concerned that an increasing number of jurors don't believe officers testifying in criminal trials.

"We want to make certain that officers know that being in court is an adversarial situation and that they're on a team," Police Commissioner Raymond W. Kelly told *The New York Times*. "And just like in any team situation, you have to be coached on how to properly perform."

In training sessions scheduled to begin in March, officers will listen to lectures from prosecutors, detectives and fellow officers, who will encourage them to exhibit "less attitude" — hostility, boredom or expressions of disbelief when certain questions are asked — on the witness stand. The officers will learn that appearance often reflects a witness's credibility, so they will be advised not to wear jeans and T-shirts to court. They will also be told to make eye contact with jurors while responding to questions, and avoid the use of police jargon in their replies, as well as references to a defendant's or victim's race, unless it is relevant to the case.

The credibility of police officers' testimony has become a major issue since a jury in October acquitted a black teen-ager in the killing of a Hasidic Jew from Australia during violent racial clashes in the Crown Heights section of Brooklyn in August 1991. Jurors who

acquitted the youth told reporters they didn't believe police testimony.

Patrick Clark, the chief spokesman for Brooklyn District Attorney Charles J. Hynes, told *The Times* that the problem first became apparent about a year ago when he noticed a decline in the number of convictions in gun-possession cases. "The jurors were having difficulty accepting testimony of police officers," he said. "The police officer would say on the stand that he saw a bulge, which gave him probable cause to make an arrest. The jurors didn't believe that, meaning they thought something happened before that arrest that was questionable.... The problem is now at a point where it affects the criminal justice system, and ultimately, the interests of society."

The training's objective is to improve the chances that juries will believe officers' testimony by making officers appear more human to jurors. It

Continued on Page 8



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Van Blaricom:

Police pursuit: uncontrolled deadly force

By D.P. Van Blaricom

The Cable News Network recently reported that several police vehicular pursuits had resulted in the "deaths of eight innocent people in the greater Los Angeles area in the past two weeks." The fact that so many were killed in so short a time apparently raised the media's interest, but would the loss have been any less if the same number of deaths had been spread throughout the year? The answer, of course, is no, but the frequency of those events did serve to focus attention on a continuing police problem.

Who are these innocent victims of police pursuits? They could be you or me or a member of our families. They can be and have been the 7-year-old child in a crosswalk on his way to elementary school or the 16-year-old honor student driving around the corner to his high school or the wife and child of an Oklahoma police chief on their way home. They are the young, the middle-aged and the elderly. They are fathers, sons, mothers and daughters. They are a cross-section of our society, and although no accurate statistics are available because none are kept, it has been estimated that as many as 400 persons are killed annually from police pursuits in the United States. Why were these people killed? Some were the suspects or the police officers involved in the pursuits, but many others were simply innocent third parties who just happened to be in the wrong place at the wrong time when struck by the fleeing suspect or the police.

The Law Enforcement Training Network's "Command Update" program has noted that over 80 percent of police pursuits are initiated for only traffic violations, and yet the continuation of these pursuits until someone is killed or injured is the norm. An example illustrates how senseless this can be. An officer attempted to stop a motorcyclist because he was not wearing a helmet and the rider fled instead of stopping. In the resulting high-speed pursuit accident, the driver was killed by head injuries received from not wearing a helmet. If, as most agree, the primary mission of law enforcement officers is to protect life, how did this particular exercise of police discretion — to chase without regard to the circumstances or probable consequences — serve any rational purpose?

It is absolutely essential that police officers making a decision to initiate or continue a chase balance the need for immediate apprehension of a suspect against the risks of pursuit. If only that simple rule, which is found in many if not most police pursuit policies today, were actually followed in practice, most needless deaths would be avoided and the few that might still occur could arguably be justified. The myth that a fleeing driver must have a body in the trunk or he would

not be refusing to stop has long since been disproved, and by far the preponderance of drivers who run from the police are not violent criminals.

There is no question that pursuits have been proven highly dangerous by both long experience and scientific studies over the last decade. The California Highway Patrol published the results of the first comprehensive pursuit study ever

source document, and it recommends adoption of a restrictive pursuit policy. The fact is, however, that most law enforcement agencies have adopted discretionary policies that leave it up to the pursuing officer on whether to continue the chase. These policies suggest certain criteria which the pursuing officer should consider, but they are routinely ignored during and after those pursuits

police officers are continually trained in the use of their firearms, with a strong emphasis on restrictive use, similar training in vehicular pursuit is all but nonexistent throughout the United States. It has been suggested that the patrol vehicle is the most dangerous weapon in the police arsenal. Innocent third parties are far more likely to be victims of a police pursuit than of a police shooting, yet most police administrators refuse to adjust their training priorities to that reality.

In spite of the evidence developed by its own study, the California Highway Patrol concluded that "attempted apprehension of motorists in violation of what appear to minor traffic violations is necessary." The patrol's report then went on to declare that "undoubtedly, innocent people may be injured or killed because an officer chooses to pursue a suspect, but this risk is necessary...." Presumably, most if not all of the innocent victims of police pursuits would disagree with the proposition that the forfeiture of their lives was just "unfortunate" and merely the cost of doing business as usual. As is perhaps explained by the conclusion of the CHP study, the most vocal proponent of police pursuit in American law enforcement today is the current CHP commissioner. That might have at least some relationship to the news report which started this discussion.

(D.P. Van Blaricom is an expert witness and consultant on issues of police liability, and has been retained by plaintiffs and defendants in more than 300 lawsuits nationwide. He served with the Bellevue, Wash., Police Department for 29 years, 11 of them as Police Chief.)

Innocent third parties are far more likely to be victims of a police pursuit than of a police shooting, yet most police administrators refuse to adjust their training priorities to that reality.

undertaken in 1983 and documented that: 29 percent of their pursuits end in accidents; 1 percent are fatal, and of those fatalities, 28 percent are innocent third parties; 23 percent of those pursued escape, for a 52-percent chance of a negative outcome (accident or escape) when a pursuit is undertaken. Michigan State University reached similar results in 1985, as did a Miami/Dade study in 1987. It was particularly significant that the MSU study found the most common terminating event in an urban pursuit to be an accident. That is the case, of course, because of greater population density and the many intersections where cross-traffic will suddenly be encountered with little or no warning of the pursuit.

A question that is often asked of police officers, up to and including the police chief, is, "How do you plan to stop a driver who refuses to do so?" The inescapable answer is that you cannot. That being the case, why continue the chase toward the high probability of an accident? What sense does it make to risk random death or serious injury when the primary mission of the police is to protect life? While pondering that issue, consider a controversial question that is often not asked at all. We all agree that driving under the influence of intoxicants is highly dangerous in itself and an important priority for police attention. But when a suspected drunk decides to flee instead of stop, is he more dangerous when initially observed weaving within his lane at 35 mph or while trying to escape apprehension in a full panic at 100 mph?

The National Law Enforcement Policy Center, a joint effort of the International Association of Chiefs of Police and the U.S. Bureau of Justice Assistance, has developed a model policy on "Vehicular Pursuit" which is an excellent re-

in which preventable accidents occur. To conduct reasonable pursuits requires policy, training, supervision and accountability, but of those four requisites, law enforcement agencies routinely provide only the policy component. Without the rest of the necessary support to translate that policy into preconditioned behavior for police officers, needless accidents will continue to kill and maim innocent victims.

Pursuit on the public roadways is as much an exercise of deadly force as randomly shooting a firearm down a crowded street. Yet while no police officer would do the latter, most will do the former, and the difference is training. Although

Letters

To the editor:

With reference to the letter (LEN, Dec. 31, 1992) by Jed M. Dolnick of West Bend, Wis.:

Lieutenant Dolnick, I read your letter about Sergeant Koon. I must ask you some questions. How big is Washington County? Are you big cities or farmland? Do you have a major crime problem? Drugs, rape, murder, ex-cons everywhere? Are your streets a war zone where the cops are outnumbered and outgunned? I issue you a challenge. Call or write Sergeant Koon. Contact the LAPD or L.A. Sheriff and go on a ride-along. See it from the ground level.

I read Koon's book, "Presumed Guilty." They did not go out on purpose to gang up on anybody. A situation happened, and they responded. The bottom-line goal was to arrest Mr. King. Mr. King could not be let go. All means authorized by LAPD procedure for this type of incident were used to accomplish the goal. Mr. King was fighting the effort to "swarm" him. He showed no reaction to two Taser hits. Strikes to pain points were not working. The number of officers, blows, etc. is insignificant. The main point is that Mr. King had to be put in a position of disadvantage so he could be 'cuffed. Yes, it was nasty, but it just happened to be appropriate for the situation. Do you have drug-crazed ex-cons raising hell on your streets? Do you have sections of town where the cops are afraid to go? The cops were following S.O.P. for the LAPD and I don't think they would care about tapes or not. They know that they are out in the open at all times and anything they do can be observed by anybody. If cops get worried about who is watching and what they will say, then they are useless. Officers must keep their attention on what is happening and deal with it. If they take it easy, the job won't get done and somebody — another cop or a civilian — could get hurt.

I agree that a quick look at the tape itself looks bad. The spot of tape shown by the media was not the whole story. Much of what King did was not on tape, and what King did on the tape was not shown on TV. The liberal media saw a chance to smear the cops and they did. The liberal, civilian media

has never been in the trenches. They don't know what it is like. They sit in a safe ivory tower and make judgments.

The Court TV network made a tape of the whole Holliday tape and of the trial. It showed witnesses from the prosecution and the defense try to use the whole tape to convict the cops. The cops showed how King was really acting and how they only struck when King made an aggressive move. King received multiple orders to surrender and lie still. King kept moving to attack the officers.

These officers did not gather to beat anybody; they were attempting to arrest a dangerous person, using what they were taught. Race had nothing to do with it. Before the incident started, nobody on either side knew who anybody was or that the incident would happen. If you check the records, black cops are more aggressive toward black suspects than white cops.

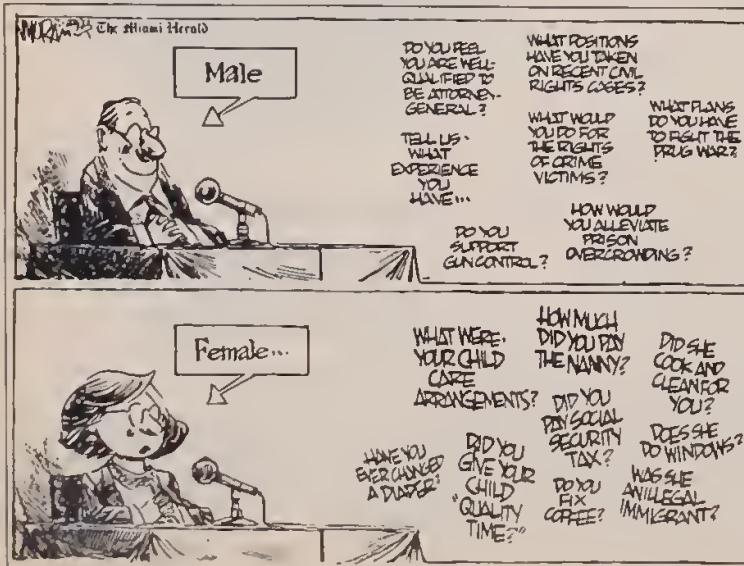
Cops are cops. Suspects are suspects. Crime is crime. We need to look beyond these small issues and deal with the real problems. Laws must be tough, and they must be enforced. The liberal legislative, judicial and justice systems refuse to bite the bullet and be firm. If people knew that crime equals real punishment, they might stay straight. If criminals were kept in prison, they wouldn't be out re-offending. Let the cops do their jobs. Don't criticize till you work their beat and see it for real.

I'm not advocating brutality or violation of rights. If the public behaves, they should have no problems. However, if you do the crime, look out.

CHRISTOPHER E. LIVINGSTON
U.S. Mint Police
San Francisco, Calif.

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Punishing perjury, protecting property

Supreme Court rules on sentencing, asset forfeiture

Criminal defendants who perjure themselves while testifying in their own defense may properly be subjected to additional prison time for obstructing justice, the U.S. Supreme Court ruled this month.

The Court's decision on Feb. 23 overturned a 1991 ruling by a Federal appeals court in Richmond, Va., which held that the Constitution bars judges from imposing an additional sentence under Federal guidelines as punishment for "a disbelieved denial of guilt under oath." The appeals court determined that the threat of added prison time placed "an intolerable burden upon the defendant's right to testify on his own behalf."

But the Supreme Court, in an opinion written by Justice Anthony Kennedy, held that "a defendant's right to testify does not include a right to commit perjury." As long as a judge in a criminal case is satisfied that the defendant's misstatements met the legal definition of perjury and were not the result of a mistake or confusion, there was no constitutional conflict with increasing the sentence, said Kennedy.

Threat to Society

Sentencing judges can rationally conclude that "a defendant who commits a crime and then perjures herself in an unlawful attempt to avoid responsibility is more threatening to society and less deserving of leniency than a defendant who does not so defy the trial process." The ruling would not apply to a defendant who pleads not guilty and is subsequently convicted by a jury.

The Supreme Court's ruling reinstates a West Virginia woman's four-year prison term on multiple drug charges. Sharon Dunnigan had denied being part of a cocaine-trafficking ring during testimony at Federal District Court in Charleston. The judge had found Dunnigan had lied on the stand when she denied selling drugs to a government witness.

May Apply to State Courts

The ruling applies directly only to testimony in Federal courts, but it makes clear that state judges may also mete out stiff sentences to defendants who lie while testifying.

Legal observers noted that judges have long held the discretion to impose harsher sentences on defendants who take the witness stand and perjure themselves while testifying about others. U.S. sentencing guidelines incorporated that principle into Federal law in 1988, saying that a defendant's prison term could be "enhanced" for attempts to "impede or obstruct the administration of justice," which includes "testifying untruthfully" during the trial.

Nine U.S. appeals courts, with the exception of the Fourth Circuit in Richmond, have upheld the constitutionality of sentencing enhancements. But the power to impose longer sentences has not been invoked in instances in which a defendant simply denies the charges against him.

Some Seizures Don't Pass Muster

In another action, the Supreme Court ruled Feb. 24 that the government cannot seize property from citizens innocent of a crime just because the prop-

erty was previously acquired with drug money.

The 6-3 decision held that those who become owners of land, cars or other property that was once financed by drug-trafficking profits may keep what they've purchased if they don't know about the past drug connection.

Writing for the majority, Justice John Paul Stevens said that an owner's lack of knowledge that a home or some other possession was bought with the proceeds of illegal drug deals is a defense against the government's attempt to seize the property.

The House that Pot Built

The ruling came in a case in which Beth Ann Goodwin bought a home in Rumson, N.J., with \$240,000 given to her by her boyfriend, Joseph Anthony Brenna, who lived with her in the house until 1987. Brenna was later convicted of drug-trafficking charges. In 1989, the government tried to seize Goodwin's home, saying the money Brenna gave her to buy it was illegal profits from the sale of marijuana. The government contended that Goodwin, who said she knew nothing of Brenna's illegal activities, had never legally owned the house because the forfeiture law gives the government ownership from the moment proceeds of an illegal drug transaction were used to purchase it.

The High Court did not decide whether the "innocent owner" defense is available to someone who was unaware of the illegal transaction when it occurred, but learned about it before assuming ownership of the property.

Asset forfeiture will figure in a case currently on the High Court's docket. On Jan. 15, the Court agreed to decide whether the Federal Government's seizure of property from criminals violates the Constitution if the value of the property far outweighs the severity of the offense. It will decide whether the seizure of an auto body shop and a mobile home owned by a South Dakota man who pleaded guilty to cocaine possession is disallowed under the Eighth Amendment, which bars cruel and unusual punishment and excessive fines. Richard L. Austin sold an undercover agent two grams of cocaine, and a search of his property uncovered a small amount of drugs and about \$4,000 in cash. The worth of the property seized from Austin was \$38,000.

The Supreme Court has never addressed the issue of sentencing disproportionality in the context of forfeiture, which is treated as a civil penalty in the law. Most lower courts have held forfeiture to be outside the scope of the Eighth Amendment.

F.Y.I.

(A roundup of capsule information on emerging research and writing, policy and practice, and other professional developments of interest to readers. Those wishing additional information on a given subject should contact the individual and/or organization listed for that item.)

Information, Please

The National Information Officers Association, a nonprofit organization for public information and media relations representatives in law enforcement and the fire and emergency medical services, is seeking new members. Currently more than 200 PIO's belong to the association, which aims to help members improve professionalism, exchange ideas and techniques, and learn how to enhance relations with the news media. The group's 1993 annual conference will be held in Augusta, Ga., in September. Contact: Robin L. Deitesfeld, Executive Director, NIOA, P.O. Box 456, Longmont, CO 80501. (303) 530-5558.

The Paper Chase

The scholarly journal Behavioral Sciences and the Law is seeking manuscripts for a future issue that will be devoted to law and behavioral science concerns relating to guns. Possible subject matter will include, but not be limited to: guns and interpersonal violence; gun control laws and regulations; the psychology of gun ownership and/or use; changing demographics of gun ownership and use; guns and youth; guns and crime; gun ownership and use by special groups such as the mentally ill; guns and self-defense; gun safety education; guns and the media; toy guns; guns and domestic violence; guns and the police, and guns and the military. The deadline for manuscripts is May 1, 1993. Contact: Charles P. Ewing, Editor, State University of New York at Buffalo, Faculty of Law and Jurisprudence, Buffalo, NY 14260. (716) 645-2770.

No Questions Asked

The TYSTM Drop Box is being touted as a safe, convenient, tamper-proof means for citizens to dispose of illicit narcotics or outdated prescription drugs without question. The Drop Box, which resembles a super-secure mail-deposit box, is built of 3/8" diamond plate steel and features a multiple locking system. The system, which sells for \$3,900 per unit, has been field-tested in Santa Barbara, Calif., garnering positive reviews from local politicians, law enforcement officials, the media, and community groups. Contact: Gary Gillingham, P.O. Box 368, Los Olivos, CA 93441. (805) 688-4642.

One-Stop Shopping

The Knight Management Corporation has compiled an extensive catalog of hundreds of professional books, videos and other resources from dozens of publishers, all of which are available through Knight, an Albany, N.Y.-based police management and training firm. The 24-page catalog is free to active law enforcement personnel (\$3.00 for all others). Contact: Roger Fulton, President, Knight Management Corp., P.O. Box 12035, Albany, NY 12212. (518) 456-6780.

Jolly Good Fellows

The United Kingdom Fulbright Commission is seeking applicants for its 1994-1995 Fulbright Fellowships in Police Studies. Two American police professionals will be chosen to pursue extended training and professional development in the U.K. Applicants must be United States citizens with at least five years professional experience. The award is aimed at emerging, mid-career or senior officers and administrators with the rank of sergeant or

above. Candidates should hold a bachelor's degree in criminal justice, police studies or a related social science discipline. The fellowships are for a minimum period of three months and a maximum of 12 months, and are accompanied by a stipend to supplement a required paid leave of absence. Deadline for applications is Aug. 1, 1993. Contact: U.K. Police Studies Program, Council for International Exchange of Scholars, 3007 Tilden St., N.W., Suite 5M, Box F-UKPS, Washington, DC 20008-3009. (202) 686-7878

The Gang's All Here

The National Crime Prevention Council is offering a comprehensive kit designed for communities seeking to launch or enhance a parent-based gang prevention effort. "Tools to Involve Parents in Gang Prevention," a set of 10 reproducible education, training and outreach materials, was developed by NCPC with the help of the Boys & Girls Clubs of America and the Police Executive Research Forum. The kit is easily localized, and addresses the needs of various community situations, including communities with little or no gang problem, those with early signs of gang activity, those in which gangs are overtly active, and those in which gangs dominate the neighborhood. The kit costs \$24.95, with quantity discounts available. Contact: National Crime Prevention Council, Attn.: Distribution, 1700 K St., N.W., Second Floor, Washington, DC 20006-3817. (202) 466-6272. Fax: (202) 296-1356.

The Handwriting on the Wall

The American Board of Forensic Handwriting Analysts Inc. has been formed and is seeking new members. The professional society is designed for persons who have an interest in the field of behavioral profiling based on handwriting analysis, and for those interested in questioned document examination. The initial membership includes neurologists, psychiatrists and other medical doctors, police officers, investigators, private security and loss prevention personnel, forensic handwriting analysts in private practice, questioned document examiners, laboratory personnel, clinical psychologists, and those persons wishing to learn handwriting analysis and examination. Three classes of membership are available: board certified members; candidates for board certification, and associate members. The group's first national conference will be held in early August in Branson, Mo. Contact: American Board of Forensic Handwriting Analysts Inc., P.O. Box 1646, Branson, MO 65616. (417) 334-6411, ext. 4392.

Central Booking

Performance Dimensions Publishing has released its 1993 Law Enforcement Catalog of Books and Videos. The listing features reasonably priced and relevant books and videos, all published by Performance Dimensions Publishing and developed specifically for the law enforcement professional. Contact: Performance Dimensions Publishing, P.O. Box 502, Powers Lake, WI 53159-0502. (414) 279-3850. Fax: (414) 279-5758.

Back to School

The National Association of School Resource Officers is seeking new members. The organization currently consists of more than 5,000 school resource officers, school police and liaison officers, juvenile officers and detectives, school administrators and DARE officers. The group's 1993 training conference will be held in Palm Beach, Fla., in August. Contact: Officer Sandra Lazar, NASRO Northeast Region Director, c/o Cherry Hill Campus Police, H.S. East, Kresson Rd., Cherry Hill, NJ 08003. (609) 424-2222.

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FBI Director's future nears critical mass

Should Attorney-General-designate Janet Reno be confirmed by the U.S. Senate, as expected, a high-priority item that will greet her upon taking office will be the professional future of embattled FBI Director William S. Sessions.

Sessions, who has been accused of using his office for personal gain, maintains a tenuous hold on the bureau, amid reports of rising dissension within the agency and a lack of support within the Clinton Administration.

In an action that reportedly infuriated senior FBI officials trying to quell growing morale problems in the ranks, Sessions abruptly overruled a decision by aides to delay action against agents accused of violating ethical rules like those the Director himself stands accused of breaking. Sessions' action came after an hourlong meeting with

his senior staff on Feb. 5, during which aides pleaded with him to allow their initial decision to remain in place.

The aides advised the Director to postpone disciplinary action against agents until the charges against Sessions are cleared up. They pointed to a perception among agents that a double standard of discipline exists.

Sessions, who prior to the meeting had not been told of the aides' decision to hold up disciplinary action, refused to go along, saying that discipline was "a critical component of the agency's personnel practices and must not be impeded by matters not directly relevant to my circumstances."

In a statement issued Feb. 5, Sessions said, "I have considered the matter and instructed that all disciplinary allegations within the FBI be thoroughly and promptly investigated and adjudicated without delay and without regard to any circumstance involving me."

Also on Feb. 5, The Los Angeles Times reported that Sessions and his wife, Alice, took a round-trip flight from Washington to San Francisco on an FBI aircraft to visit their daughter during the Christmas holidays. Agency officials confirmed that Sessions had partially reimbursed the Government for the trip, paying \$700 of the trip. The total cost of the trip included \$1,050 to fly two FBI pilots from San Francisco to Washington and back on commercial flights while Sessions remained in California, the newspaper reported.



FBI Director William Sessions
Looking to an uncertain future

The Justice Department is also said to be preparing a detailed report on a sweetheart deal Sessions allegedly received for his home mortgage. Details were not immediately available, but a Justice Department report last month raised questions about the mortgage because Sessions refused to sign forms allowing a Washington bank to turn over documents related to the \$375,000 mortgage in 1989 on his \$435,000 home. The DOJ report questioned the propriety of the mortgage since payments would amount to half of Sessions' monthly income even though bank guidelines limit mortgages

to a repayment formula of no more than 28 percent. At the time, Sessions' annual salary was \$89,500.

The mortgage issue was one of a series of allegations against Sessions detailed in the report, which accused the Director of engaging in a series of ethical abuses of his office for petty financial gain. Sessions has disputed a number of findings in the report, including its assertion that he carried an unloaded weapon in a locked briefcase in the trunk of his limousine in a "sham arrangement" to evade paying taxes on the vehicle as a fringe benefit.

Sessions has admitted under questioning that he did not follow the advice of FBI attorneys to regularly fire the gun at a pistol range and keep it loaded to qualify for the tax exemptions granted to law enforcement officers. He also conceded that FBI agents who used their bureau-issued cars for personal business would be disciplined, usually by immediate 30-day suspensions. But Sessions has maintained that since he must be accompanied by a security detail at all times, it is difficult to draw the line between personal and official business as he travels around the nation.

The 161-page report, which became public Jan. 19 after a six-month probe by the Justice Department's Office of Professional Responsibility and the FBI's ethics office, also accused Sessions of taking personal trips aboard FBI planes and billing the Federal

Government for the \$10,000 cost of a fence built around his home.

Sessions rebutted the accusations in a 90-minute press conference Jan. 23, in which he said the charges were the result of "an animus and anger and animosity" by former Attorney General William Barr. In addition, a memo released by his personal lawyers called the report a "crassly calculated attack upon the reputation of a man who has had a long and distinguished career of public service." Sessions is reportedly compiling a point-by-point rebuttal of the report that he plans to present to Clinton Administration officials in an attempt to keep his job.

A former Federal judge from Texas, Sessions was named Director in 1987 and is at the midpoint of a statutory 10-year term.

Barr, who resigned on Jan. 15, said he was not personally involved in the probe and called Sessions' accusations "diversion and obfuscation." He added that the evidence in the report was "overwhelming and unfounded."

The Clinton Administration appears to be playing a waiting game with regard to Sessions. The situation is muddied by the lack of a sitting Attorney General, who oversees the FBI. President Clinton has refused to comment directly on the matter, but a spokeswoman said the White House counsel would evaluate the Justice Department report and Sessions' written responses to the charges before taking action.

Cops to get courtroom coaching

Continued from Page 5

will also enable them to explain police policy and procedures without resorting to the use of police jargon unfamiliar to most jurors, said Jeremy Travis, the Deputy Police Commissioner for Legal Matters. Brooklyn will be the focus of the initial training courses, which will be expanded to the entire force in the coming months.

"There is a way to 'testify,'" said Clark. "They need to maintain eye contact with the jury and speak in an accessible way. Department jargon appears to be cold and impersonal. They need to appear human, which will enhance their credibility."

The training will be given during the officers' annual firearms training session, at which time they will be required to watch a one-hour videotape setting out the fine points of addressing a jury. On an intermittent basis, officers will view a 20-minute refresher video, just before testifying in court. Some officers will be selected at random to attend a class where their performances on the stand will be analyzed by prosecutors. Investigators from the Detective Bureau, Internal Affairs Bureau and Narcotics Division will receive a half-day block of similar training from department lawyers.

Not everyone thinks the new training will make police officers more believable to jurors. Ronald Kuby, a Manhattan attorney who successfully defended a man accused of rioting during a 1990 clash between police and demonstrators protesting a park curfew, said juries would believe police officers — if they only told the truth. "Police officers are mistrusted because they lie. Unless Commissioner Kelly addresses himself to that problem rather than making cosmetic changes, jurors will continue to believe them. It's really that simple," Kuby said.

Justice Burton B. Roberts, a former district attorney who is now the administrative judge of the State Supreme Court in the Bronx, said that jurors have the burden of responsibility in deciding the credibility of witnesses, including those in uniform. "The determination of guilt or innocence must be divorced from their personal experiences [with police officers]," he said.

Private security plan for mass transit ruffles Milwaukee sheriff's feathers

Milwaukee County, Wis., Sheriff Richard Artison is urging county officials to think twice about switching to a private security firm later this year to battle increasing crime on county buses and protect drivers and passengers.

In a memo this month to county and transit officials, Artison said reports that more teen-agers are arming themselves "causes me to reiterate my earlier position that the security problems on the Milwaukee County Transit System are beyond the scope, capability and expectation of private security."

The situation is complicated by a lack of funding that would allow the Sheriff's Department to patrol buses adequately. The agency had been budgeted for \$650,000 annually to protect buses, but the county allocated only enough funding to staff the department's Transit Unit of eight deputies and one sergeant for half the year. When the funds are exhausted, the Sheriff will disband the unit.

Instead, funds have been allocated to bring in a private firm for the remainder of the year. Supporters of the plan on the County Board say well-trained, well-paid workers on the buses will deter troublemakers from committing criminal acts. They also note that sheriff's deputies do not routinely ride the buses.

Sheriff's Department Administrator Bernard Tesmer told The Milwaukee Journal that the proposed private security force would be useless because its members would not have arrest powers. "The problems on the buses are not the same as they were four to

five years ago," he said. "We're not talking about days when people were worried about people eating on the bus or playing a boom box too loud. We don't want to scare the public, but as a law enforcement agency, we're obliged to release the facts."

"The facts" show a trend toward increasingly violent criminal acts occurring on the county bus system, said Artison. Nineteen criminal incidents occurred on county buses during the first two weeks of February alone, including beatings, assaults on drivers and attempted thefts of transfers.

County Supervisor Larry Kenny, who supports the private security plan, said one reason for the switch is because the Sheriff's unit arrives on the scene after a crime occurs and does not provide a "preventive presence."

"What most of us on the County Board are looking for is a visible security force that provides a presence and a peace of mind for the drivers and passengers," Kenny said. Putting deputies on the buses for routine patrols is cost-prohibitive, he said, since the average salary and benefits of a deputy is about \$50,000. "If the county had

unlimited dollars, it could hire more deputies."

Under the plan, the private security guards would be required to have previous law enforcement experience — either on a police force or in the military. They would be paid \$9 an hour, said Kenny.

Tesmer said the Sheriff's Department doesn't feel county officials are making "a correct move" by switching to a private company for the county transit system's security needs. "We're telling them ahead of time that they're making a mistake."

What's killing kids in Kentucky? More than illness, it's child abuse

Abuse and neglect now rank among the leading causes of childhood death in Kentucky, killing more youngsters than heart disease, cancer, pneumonia or blood infections, according to statistics compiled by the state.

The figures are prompting officials to push for stronger investigations of deaths of children from abuse and neglect in an effort to reduce the deadly trend.

"One of the largest causes of death for children from newborn to one year old is homicide," stated Joel Griffith, a state child-protection specialist in Frankfort.

In the 12-month period that ended June 30, 1992, 24 Kentucky children died of abuse and neglect — a 41-percent increase over the previous year, according to figures from the Cabinet for Human Resources.

and other state agencies are helping in the effort, and are expected to begin offering the training at a state coroner's conference in April.

Griffith told The Associated Press that he believes improved investigative techniques will protect children from abuse and neglect and save lives. And despite what many believe, parents who abuse, neglect or ultimately murder their children are not "horrible monsters," he said. "They are very frustrated," said Griffith. "Many were raised with violence as a problem-solving skill when they were very young."

Griffith pointed to figures that show that "loss of control" by parents is a contributing factor in 49 percent of the substantiated abuse reports filed in the state. "Parents are not out to hurt that child," he said. "They lose control."

Personal perspective on police culture:

One cop bares his soul

The Soul of a Cop.
By Paul Ragonese and
Berry Stainback.
New York: St. Martin's Press,
1991.
304 pp.

By Darrell J. Cook

Exciting and sobering may best describe this biography of retired Det. Paul Ragonese, the most decorated police officer in the New York City Police Department. After the opening chapter, which covers the events leading to his decision to become a police officer, the reader is given a 17-year tour of the realities of policing in America's original "melting pot."

The work is a complete one in the sense that the authors reveal the situational extremes in policing, from standing guard on a cold winter night to the emotional trauma that occurs when Ragonese is forced to kill a young man in self-defense. The frustrations inherent in policing are frequently pointed out, especially those encountered by the patrol officer in a large, bureaucratized department such as New York City's. The officer in such a culture must learn to accept not only the norms and values that serve to maintain the status quo, but also those that serve the higher ranking patrol officers and low-

level supervisors.

Ragonese is not reluctant to reveal injustices that he experienced as a member of the NYPD. Saliently scattered throughout the book are the incidents of ethnic prejudice and discrimination directed at him as an Italian-American. Judging from the accounts given in this book, it would appear that the historical departmental prejudice between Irish Americans and Italian Americans persists. Promotions and choice assignments are but a few advantages obtained if you belong to the right ethnic group.

The book's accounts offer evidence that some cops will ignore or violate undesirable rules of normative, institutional behavior in order to uphold the ideal ethos of policing, "To protect and serve." Disregarding personal danger to himself, Ragonese earned his numerous decorations and awards by quickly responding to crucial situations where only a person of dedication and high moral caliber could fill the bill.

Yet the authors downplay the heroics of Ragonese, portraying him only as the ordinary cop he sought to represent throughout his career. Off duty, the life of a simple yet functional family member emerges. Ragonese was among the minority of officers who possessed the ability to distance himself from his work after shedding his uniform at the

end of his shift. His deep commitment to his family, it would seem, is accounted for by his strong religious faith.

As an ex-police officer, this reviewer is familiar with many of the personal frustrations, disappointments and anxieties experienced by the police in our society. As such, "The Soul of a Cop" is highly recommended to anyone interested in policing, whether they are current law enforcement officers, police administrators, educators or future police officers. The police officer will appreciate this account of one concerned cop who lived by his conscience and not by the norm of apathy which comes to be part of the job for many big-city cops who have become disillusioned over the years by society, the system, and the politics of the police hierarchy. Administrators may benefit by reviewing Ragonese's accounts and then assessing the worth of their own departmental policies and departmental relationships.

(Darrell J. Cook is an instructor in sociology and criminal justice at Benedictine College in Atchison, Kan. He served with the Southgate, Ky., Police Department and as a K-9 Handler for the U.S. Air Force Security Police.)

Learning affirmative action lessons from the LAPD experience

Diversity, Affirmative Action and Law Enforcement.

By George T. Felkenes and Peter Charles Unsinger.
Springfield, Ill.: Charles C. Thomas, Publisher, 1992.
212 pp., \$42.75.

By Thomas E. Engells

The book focuses on the impact of affirmative action programs on the delivery of service and the attitudes of the service providers. As a result, the book provides police practitioners with some detailed information on the experience of the Los Angeles Police Department and that agency's activities to achieve compliance with an affirmative action consent decree.

The Los Angeles orientation does not limit the book's general utility. The police practitioner can gain many useful ideas as to proven effective programs in Los Angeles to encourage and retain police cadets from the protected classes.

Finally, the report of an attitudinal survey provides a response to the expressed concern that police departments are changed for the worse because of affirmative action programs.

The audience for this book is limited. However, the book delivers substantive and pertinent comments on affirmative action in law enforcement.

(Thomas E. Engells is a lieutenant with the University of Texas at Houston Police Department.)

Domestic violence: the anguished tale of one survivor

A Safe Place: A True Story of a Father, a Son, a Murder.
By Lorenzo Carcaterra.
New York: Villard Books
(Random House), 1993.
315 pp., \$23.00.

By G. Thomas Gitchoff

Lorenzo Carcaterra has produced an extraordinary book that must have been written with considerable pain and anguish, the likes of which most adults seldom experience.

"A Safe Place" is a fascinating case of child and spousal abuse, which blends the age-old dilemma of "you can't live with 'em, you can't live without 'em," – especially if you're a product of Hell's Kitchen in New York in the 1950's. Lorenzo, the son, is frequently abused and battered by his father, whom he dearly loves (or thinks is love?). The father, a Jekyll/Hyde personality, would probably have been diagnosed as a manic depressive with violent tendencies ("a short fuse"), who took out his frustration on his wives. The first wife he murdered by suffocating her with a pillow in a fit of jealous rage. His second wife, whom he brought over from "the old country," was severely abused by him during their long marriage (which ended when he finally died of cancer). Loyalty on the part of his immigrant wife dictated that she never leave him, even though he would almost beat her to death.

When Lorenzo learned at age 14

that his father had murdered his first wife, he was stunned. He withdrew and could no longer love, respect or feel for his father. The love-hate relationship became one of hate and disillusionment. One keeps wondering why "anyone would put up with such abuse."

"A Safe Place" has many facets of interest to the general reader as well as to those in fields of social and behavioral science. Andrew Vachas, the child advocate, author and attorney, comments: "The abused child is not doomed to imitate the oppressor. The crucible of family fire can produce ashes or diamonds.... This book is the jewel. Sweet, savage and uplifting." The book is in many ways the intimate biography of two people: his Italian immigrant mother, who speaks little English, and his father, a con man, street brawler and hedonist, who ultimately destroys or damages everything he has ever loved, including himself and his son.

The shock and pleasant surprise is that Lorenzo Carcaterra somewhere, somehow found the strength of character to find hope and reconciliation and reject his father's brutal legacy. Today, he is married, has two children, and is the managing editor of the CBS-TV weekly series "Top Cops." He is a loving, caring parent that we all need to be.

(Dr. G. Thomas Gitchoff is a visiting professor of behavioral sciences at the United States Military Academy at West Point.)

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Campus crime stats seen as incomplete

Continued from Page 1

as recently as a month ago saying, 'Do you know something about some Federal law?'" said Douglas Tuttle, the director of public safety at the University of Delaware and chairman of government relations for the International Association of Campus Law Enforcement Administrators. "All I could say was, 'Well, yeah, I sure do.' I'm not quite sure how to explain that phenomenon."

But The Chronicle also reported that the law enables colleges to avoid reporting some offenses since it allows them to reveal only the number of people arrested by police for violating alcohol, drug and weapons laws — rather than those offenses reported to university

officials. Such offenses are often dealt with by the campus judicial system, opening a loophole that permits schools to avoid listing them in crime reports.

"A college may have dozens of liquor-law violations, which won't be reflected if the dean of students handles them all. That violates the spirit and the intention of the act," said David Nichols, the director of public safety at Jacksonville State University in Florida.

Others pointed out that the law does not require the reporting of the most common crimes on campus — larceny and vandalism. "A lot of folks will agree that they ask the wrong questions," said Michael Callahan, director of campus safety at Bentley College and president of the Massachusetts

Association of College and University Public Safety. "Yes, it's important to know if there's murder on the campus, but that's not the problem that most of us have. Our problems are vandalism, thefts, fire alarms."

Another security official, Dave Stormer, assistant vice president for safety and environmental services at Pennsylvania State University, told The Chronicle that larceny theft accounts for more than 75 percent of all crimes committed on college campuses.

Law enforcement agencies charged with providing campus security "are doing their jobs" and are not playing a role in the suspected cover-ups, said Clery. "We have been very, very impressed by the courage of most of these people. They want to tell the truth, but unfortunately, some of them are really intimidated by their bosses. And some of them have been told they can pack their bags if they don't cover it up. That's very disturbing, especially when the word 'truth' is in their logos."

"Campus police are expressing a sense of frustration," said William E.

Whitman, director of the Campus Safety and Security Institute, a Pennsylvania security firm. "Their bosses are looking at the crime statistics and asking, 'How come our numbers are so high and theirs are so low?' It's because some institutions are not reporting everything, and some are not identifying problem areas."

"I'm hard pressed to believe that many institutions in urban areas had no one robbed in the last 12 months," said Patricia A. McGuire, president of Trinity College in Washington. "If you look at the statistics, we appear to have more crime than many of the large institutions located in the District of Columbia."

McGuire said she did not believe a lot of institutions are deliberately under-reporting campus crime, but there may be "a lot of massaging of incidents to fit into much nicer categories."

Anthony Tillman, assistant dean of freshman at Dartmouth College, called on Federal officials to devise a penalty for universities that fail to report campus crime accurately. "There needs to

be a penalty for not reflecting reality," he said. "Until that time, many colleges will continue to dance around with these numbers."

It's an accurate picture that parents want when helping their children decide which college to attend, said Clery. "They want to know [about crime] before they send their kids to these colleges. They want to know if the colleges are caring enough to try to improve the security and if they are caring enough to tell the truth," said Clery, who also supports penalties against colleges that attempt to skirt the law.

Clery said that with the Federal law enacted, Security on Campus Inc. will now turn its attention to pressuring institutions into compliance.

"We hope to keep a tally of those who we know are covering up," she said. "And we hope to catch the big fish. What we're hoping also, is that the Department of Education will start policing the schools who are under-reporting and force them to report accurately."

To settle a lawsuit, city agrees to one-for-one hiring plan

Continued from Page 1
ethnic backgrounds and religions in the city."

Other provisions of the Action Plan call on the Police Department to adopt a written recruitment strategy to encourage black applicants; appoint a community relations officer who will act as a liaison between the Police Department and community groups; enhance and revise the agency's sensitivity training, particularly in the areas of racial sensitivity and interracial communications skills, and revise its manual to establish minimum disciplinary penalties for the use of racial epithets by officers.

Supervisors will be ordered to stress that disrespect by officers toward any race will be met with disciplinary action.

An additional part of the plan was an agreement between Mahone and Gordon to work together to improve race relations in Frederick, Tillery said. In exchange, Mahone agreed to drop his lawsuit, which has since been dismissed.

Tillery told LEN that many of the provisions in the Action Plan were already being implemented or discussed by city officials. Many of the recommendations were made by the Ad Hoc Commission, which was empaneled to review Police Department operations. "So it was very easy, from the city's perspective, to agree to do what we were already doing, and if that got rid of the suit at the same time, that was even more of a benefit," Tillery said. The city has until July 4 to implement the provisions of the Action Plan, she added.

Chief Raffensberger, who came to Frederick just last year after 31 years with the Baltimore Police Department, conceded that the city had fallen behind the times when it came to bringing black officers onto the police force.

Currently, only three of the agency's 91 officers are black, but Raffensberger said that would soon change. "We're moving on every one of [the provisions]," he told LEN.

"When we got here, we looked and saw one minority and said this is ridiculous," Raffensberger said. "I mean this is 1993. Let's get on the stick here, guys."

Raffensberger said the department recently received 127 applications for a vacant police officer position. Eighteen of those applicants are minorities. But the department will not hire blacks and other minorities just for the sake of bringing more of their numbers onto the force. The department is looking for "qualified individuals who happen to be minorities," he said.

Raffensberger said minority residents may have had a "perception problem" with police that may have kept them from applying to the force in greater numbers. "I like to believe that we've improved on that in a year's time," he said.

Wanted: a true picture of bias-related violence

Continued from Page 3

show only part of the picture, as does the FBI's first report on hate crime statistics, which was released last month. [See LEN, Feb. 14, 1993.] "While the statistics from 1992 are shocking and deeply disturbing, the numbers — and the human suffering and tragedy they represent — show only part of the hate crime picture. More than half of all hate crimes are never reported to police. Many of those that are reported are not recorded as hate crimes."

Noting the low level of compliance by law enforcement agencies submitting hate-crime data to the FBI, Welch said that either statutes should be enacted to force compliance or the Federal Government should do its own record-keeping on hate crimes.

"Unless some changes are made, we will not have a complete picture of the hate crime problem in the United States and we will not be in a position to develop the best strategies to fight it," he said.

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Upcoming Events

APRIL

20-21. **Field Sobriety Testing**. Presented by Barton County Community College. To be held in Great Bend, Kan. Fee: \$75.

20-22. **Intelligence Acquisition & Analysis**. Presented by the University of Delaware. To be held in Richmond, Va. Fee: \$375.

21-22. **Field Officer Safety Procedures**. Presented by the University of Delaware. To be held in Owings Mills, Md. Fee: \$300.

21-22. **Confidence, Con & Bunc Games**. Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$300.

21-23. **FTO Excellence: Beyond Advanced Training**. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$225.

21-24. **Eighth National Conference on Preventing Crime in the Black Community**. Presented by the Florida Crime Prevention Training Institute. To be held in West Palm Beach, Fla. Fee: \$85.

22-24. **Second Annual Symposium on Corporate Intelligence Concerns**. Presented by the Executive Protection Institute. To be held in Winchester, Va.

23. **OCAT Instructor Certification Course**. Presented by Performance Dimensions Inc. To be held in Dayton, Ohio. Fee: \$195.

24-25. **Successful Promotion to Sergeant: A Personal & Career Development Seminar**. Presented by Davis & Associates. To be held in Las Vegas.

25-30. **Tactical Operations**. Presented by Barton County Community College. To be held in Great Bend, Kan. Fee: \$300.

26-27. **Background Investigations**. Presented by the University of Delaware. To be held in Braintree, Mass. Fee: \$325.

26-29. **Accountability & Resolution in Child Sexual Abuse Intervention**. Presented by the University of Alabama in Huntsville. To be held in Huntsville, Ala.

26-30. **Basic Police Motorcycle Operation**. Presented by the Northwestern University Traffic Institute. To be held in Boston, Mass. Fee: \$750.

26-30. **Defense Without Damage: Instructor Training**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$500.

26-30. **Field Training Officers Program Seminar**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$500.

26-30. **Forensic Animation of Traffic Crashes**. Presented by the Institute of Police Technology & Management. To be held in

Toronto, Canada. Fee: \$795

26-30. **DWI Instructor Course**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425

26-30. **Police Internal Affairs**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

26-30. **Tactical Techniques for Drug Enforcement**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$475.

26-30. **Investigation of Pedestrian Accidents**. Presented by the Institute of Police Technology & Management. To be held in Bellevue, Wash. Fee: \$425.

26-30. **New Investigators' Institute**. Presented by the University of Delaware. To be held in New Castle, Del. Fee: \$475.

26-May 14. **Command Training Program**. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

27-29. **Street Survival '93**. Presented by Calibre Press. To be held in Portland, Me. Fee: \$159 (all three days); \$135 (first two days only); \$85 (third day only).

28-30. **Asset Tracing: Fraud/Financial Investigation Procedures**. Presented by the Investigation Training Institute. To be held in Philadelphia. Fee: \$595.

28-30. **Undercover Dangers in Urban Policing**. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$250.

29-May 1. **Third Annual Police on Bikes Conference**. Presented by the International Police Mountain Bike Association. To be held in Fort Lauderdale, Fla.

MAY

1-2. **Successful Promotion to Sergeant: A Personal & Career Development Seminar**. Presented by Davis & Associates. To be held in Fresno, Calif.

3-4. **Drug & Narcotics Investigation**. Presented by the University of Delaware. To be held in New Castle, Del. Fee: \$285.

3-7. **Interview & Interrogation Techniques for Internal Affairs Officers**. Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$425.

3-7. **Investigation of Motorcycle Accidents**. Presented by the Institute of Police Technology & Management. To be held in Toronto, Canada. Fee: \$425.

3-7. **Traffic Radar Instructor Training**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$500.

3-7. **Basic Video I**. Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. Fee: \$650.

3-7. **Community-Based Crime Analysis**. Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$295/\$395.

3-14. **Supervision of Police Personnel**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$700.

3-14. **Traffic Accident Reconstruction**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$595.

4-5. **Emergency Vehicle Operations**. Presented by Barton County Community College. To be held in Great Bend, Kan. Fee: \$75.

4-6. **Asset Tracing: Fraud/Financial Investigation Procedures**. Presented by the Investigation Training Institute. To be held in Chicago. Fee: \$595.

4-6. **Street Survival '93**. Presented by Calibre Press. To be held in St. Louis. Fee: \$159 (all three days); \$135 (first two days only); \$85 (third day only).

5-6. **Managing Your Department's Training Operation**. Presented by the University of Delaware. To be held in Milwaukee, Wis. Fee: \$1,000.

5-6. **Field Officer Safety Procedures**. Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$300.

5-7. **Police Manpower Allocation & Distribution**. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$250.

6. **Persuader Keychain Instructor Certification Course**. Presented by Pro-Systems Inc. To be held in Bloomingdale, Ill. Fee: \$135.

10. **Team Leadership Development**. Presented by Barton County Community College. To be held in Great Bend, Kan. Fee: \$50.

10-12. **Examination of Questioned Documents**. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$225.

10-13. **Managing Field Training Officer Programs**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$400.

10-14. **Managing the Police Training Function**. Presented by the Institute of Police

Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

10-14. **Practical Hostage Negotiations**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

10-14. **Basic Crime Scene Technician Workshop**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$500.

10-19. **Basic Crime Prevention for Practitioners**. Presented by the Institute of Criminal Justice Studies. To be held in Galveston, Texas. Fee: \$200.

10-21. **Police Motorcycle Instructor Training**. Presented by the Northwestern University Traffic Institute. To be held in Milwaukee, Wis. Fee: \$1,000.

11. **Americans With Disabilities Act Seminar**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$95.

12-13. **Street Level Narcotics Enforcement Tactics**. Presented by Barton County Community College. To be held in Great Bend, Kan. Fee: \$75.

12-14. **Managing Your Department's Training Operation**. Presented by the University of Delaware. To be held in Milwaukee, Wis. Fee: \$350.

12-14. **Understanding Body Language in the Interview/Interrogation Process**. Presented by the University of Delaware. To be held in Milwaukee, Wis. Fee: \$400.

13. **Courtroom Survival**. Presented by Performance Dimensions Inc. To be held in Bloomingdale, Ill. Fee: \$95.

13-14. **The Occult & the Community**. Presented by the University of Delaware. To be held in Cherry Hill, N.J. Fee: \$275.

13-14. **Approaches to the Conduct of a Financial Crime Investigation**. Presented by the University of Delaware. To be held in Worcester, Mass. Fee: \$350.

14. **Managing the Officer-Involved Shooting**. Presented by Performance Dimensions Inc. To be held in Kansas City, Mo. Fee: \$125.

16-22. **Providing Executive Protection**. Presented by the Executive Protection Institute. To be held in Winchester, Va.

17. **Designer Drugs: The Synthetic/Nuclear Age**. Presented by Investigator's Drug School. To be held in Fort Lauderdale, Fla. Fee: \$95.

17-18. **Communication Center Call-Taker/Dispatcher Telephone Interviewing Techniques**. Presented by the University of Delaware. To be held in Brewster, N.Y. Fee: \$275.

17-18. **Criminal Investigative Analysis**. Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$325.

17-19. **Civil Liability of Police Administrators**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$400.

17-21. **Internal Affairs & Ethics**. Presented

by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$295/\$395.

17-21. **Police Supervisor In-Service Training**. Presented by Pennsylvania State University. To be held in University Park, Pa. Fee: \$410.

17-21. **Crime Scene Techniques Involving Surface Skeletons & Buried Bodies**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

17-21. **Criminal Patrol Drug Enforcement**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

17-21. **Homicide Investigation**. Presented by the Institute of Police Technology & Management. To be held in St. Petersburg, Fla. Fee: \$425.

17-21. **Photography in Traffic Accident Investigation**. Presented by the Institute of Police Technology & Management. To be held in Tallahassee, Fla. Fee: \$450.

17-21. **Undercover Drug Enforcement Techniques**. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$495.

17-21. **Basic Technical Surveillance I**. Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. Fee: \$650.

17-21. **Basic Police Motorcycle Operation**. Presented by the Northwestern University Traffic Institute. To be held in Milwaukee, Wis. Fee: \$750.

17-21. **Practical Crime Scene Workshop**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$550.

18-20. **Street Survival '93**. Presented by Calibre Press. To be held in Rapid City, S.D. Fee: \$159/\$135/\$85

19-21. **Police in Crisis — Molding Public Opinion**. Presented by Rollins College. To be held in Orlando, Fla. Fee: \$195.

19-21. **Internal Affairs**. Presented by the Northwestern University Traffic Institute. To be held in Evanston, Ill. Fee: \$400.

19-21. **Asset Tracing: Fraud/Financial Investigation Procedures**. Presented by the Investigation Training Institute. To be held in Dallas. Fee: \$595.

24-25. **The Occult & the Community**. Presented by the University of Delaware. To be held in Braintree, Mass. Fee: \$275.

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Barton County Community College, Attn: James J. Ness, Director, Administration of Justice Programs, R.R. 3, Box 136Z, Great Bend, KS 67530-9283. (316) 792-1243. Fax: (316) 792-8035.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

Davis & Associates, P.O. Box 6725, Laguna Niguel, CA 92607. (714) 495-8334.

Executive Protection Institute, Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Florida Crime Prevention Training Institute, Division of Victim Services & Criminal Justice Programs, PL-01, The Capitol, Tallahassee, FL 32399-1050. (904) 487-3712. Fax: (904) 487-1595.

Institute of Criminal Justice Studies, Southwest Texas State University, West Campus-Canyon Hall, San Marcos, TX 78666-4610. (512) 245-3030, 31. Fax: (512) 245-2834.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32224.

International Police Mountain Bike Association, c/o League of American Wheelmen, 190 W. Ostend St., Suite 120, Baltimore, MD 21230-3731. (410) 539-3399. Fax: (410) 539-3496.

Investigator's Drug School, P.O. Box 1739, Fort Lauderdale, FL 33312. Fax: (305) 753-9493.

Jacksonville State University, Office of Continuing Education, 700 Pelham Rd. N., Jacksonville, AL 36265-9982. (205) 782-5918.

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-550. Fax: (305) 776-5005.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 239-7033.

Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

Pennsylvania State University, 201 University Dr., University Park, PA 16802. (814) 863-2222.

Southwestern Law Enforcement Institute, P.O. Box 80707, Richardson, TX 75083-0707. (214) 690-2370.

University of Alabama in Huntsville, Division of Continuing Education, Attn: Christie Miller, Conference Coordinator, Science Building, Room 129, Huntsville, AL 35899. (205) 895-6372. Fax: (205) 895-6760.

University of Delaware, Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Ave., Wilmington, DE 19806. (302) 573-4487.

Wheels of misfortune:

A veteran police administrator says vehicular pursuits by police are every bit the deadly force that use of firearms is, with one key difference: Pursuits are subject to far less officer training and control. **Forum, Page 6.**

The dark face of campus life:

More questions than answers emerge following release of the first Federally mandated report on crime on college and university campuses. Some say administrators are covering up and manipulating the truth. **Page 1.**

High noon for FBI chief?

It's been a rough winter for FBI Director William Sessions, who is under fire from all sides, including his own agency. His professional future will be a top-priority item for the new Attorney General. **Page 8.**

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